

AMENDED IN ASSEMBLY MARCH 22, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 2138

Introduced by Assembly Member Maze

February 18, 2004

An act to amend Section 1262 of the Business and Professions Code, and to repeal and add Section 114885 of the Health and Safety Code, relating to health care providers.

LEGISLATIVE COUNSEL'S DIGEST

AB 2138, as amended, Maze. Laboratory scientists: radiologists.

Existing law provides for the licensure and regulation of clinical laboratory personnel by the State Department of Health Services and also provides for the certification of radiologic technologists by that department. Under existing law, an applicant for a clinical laboratory scientist's license is generally required to meet specified educational requirements and obtain a successful score on an examination for issuance of the license. Existing law authorizes the department to issue a clinical laboratory scientist's license to an applicant without this examination if he or she has passed an equivalent examination of the national accrediting boards or of another state.

This bill would require the department to exempt an applicant from the clinical laboratory scientist licensure examination if he or she has passed an equivalent examination of the national accrediting boards or of another state.

Under existing law, the department is required to issue a special permit excepting a person from applicable criteria for certification as a radiologic technologist if it finds that the locality where the exemption

is sought would be denied adequate care because of the unavailability of certified or certifiable radiologic technologists.

This bill would delete the provisions requiring the department to issue a special permit excepting persons from the radiologic technologist certification criteria and, instead, would require the department to issue a certificate to an applicant who is licensed by another state to practice as a radiologic technologist and ~~meets other specified standards~~ *has the requisite experience for certification as a radiologic technologist*.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1262 of the Business and Professions
2 Code is amended to read:

3 1262. (a) Except as provided in this section, no clinical
4 laboratory scientist's or limited clinical laboratory scientist's
5 license shall be issued by the department except after examination.

6 (b) A temporary clinical laboratory scientist's license or a
7 temporary limited clinical laboratory scientist's license may be
8 issued to an individual who fulfills the requirements for admission
9 to the examination unless the individual has failed a previous
10 examination for the license.

11 (c) (1) The department shall issue a clinical laboratory
12 scientist's license without examination to an applicant who has
13 passed examinations of the national accrediting boards whose
14 requirements are equal to or greater than those required by this
15 chapter and regulations established by the department or who has
16 passed examinations of another state whose laws and regulations
17 are equal to or greater than those required by this chapter and
18 regulations established by the department. The department may
19 deny a license under this paragraph if the applicant was subject to
20 a disciplinary action by the regulatory agency of another state that
21 issued his or her license to practice.

22 (2) The evaluation of national or state accrediting boards for
23 the purposes of this chapter shall be carried out by the department
24 with assistance of representatives from the licensed groups.

25 (d) This section shall not apply to persons who have passed an
26 examination by a national board or another state examination prior

1 to the establishment of requirements that are equal to or exceed
2 those of this chapter or the regulations of the department. The
3 department may, however, make exceptions if individuals are
4 otherwise qualified.

5 SEC. 2. Section 114885 of the Health and Safety Code is
6 repealed.

7 SEC. 3. Section 114885 is added to the Health and Safety
8 Code, to read:

9 114885. The department shall issue a radiologic technologist
10 certificate to a person without an examination or requiring
11 compliance with other certification requirements described in this
12 chapter or regulations adopted pursuant to this chapter, if the
13 department finds to its satisfaction that the applicant meets ~~all~~ *both*
14 of the following requirements:

15 (a) Is licensed by another state to practice as a radiologic
16 technologist and has not been subject to disciplinary action by that
17 licensing agency.

18 ~~(b) Holds an American Society of Clinical Pathology license.~~

19 ~~(c)~~

20 (b) Has completed the number of hours of experience as a
21 radiologic technologist that is equivalent to the experience
22 required by this chapter and the regulations adopted pursuant to it
23 for certification as a radiologic technologist.

